

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	
	§	CIVIL ACTION NO. 7:20-cv-00283
2.602 ACRES OF LAND, more or less, in	§	
STARR COUNTY, TEXAS; JOSE	§	
MANUEL VILLARREAL; and ARMANDINA	§	
B. VILLARREAL,	§	
	§	
Defendants.	§	

ORDER

The Court now considers “Defendants’ Motion for Disbursement of Funds.”¹ Plaintiff United States of America is unopposed to the motion.² On March 12, 2021, the Court found that the ownership interest in the subject property of this eminent domain case are as follows:

- 33.33333% interest belongs to Jose Manuel Villarreal alone,
- 27.56% interest belongs to Jose Manuel Villarreal together with his wife Armandina B. Villarreal, and
- the remainder is unaccounted for because Luz Rodriguez has no known heirs to whom her one-third interest was distributed, and Maria V. Gomez disclaimed her approximate 5.8% interest.³

On April 7, 2021, the Court’s final judgement ordered the Clerk of Court to immediately disburse the \$31,673 on deposit in the Court’s registry, together with interest, payable as follows:

- \$10,557.67 to Defendant Jose Manuel Villarreal together with a one-third share of the accrued interest;
- \$8,729.08 to Defendants Jose M. Villarreal and Armandina B. Villarreal jointly, together with a 27.56% share of the accrued interest.⁴

¹ Dkt. No. 34.

² *Id.* at 4.

³ Dkt. No. 28 at 5.

⁴ Dkt. No. 32 at 3.

Further, the Court ordered the remainder on deposit in the registry, \$12,386.25 and interest, to remain on deposit in the registry of the Court accruing interest as provided in 40 U.S.C. § 3116, but to be paid into the Treasury of the United States without further order of the Court on April 7, 2026, unless another order of the Court distributes such sum.⁵ Finally, the Court noted that any person or entity claiming entitlement to such funds shall first move the Court for an order of disbursement before such funds may be distributed.⁶ In their motion for disbursement of funds,

Defendants, Jose Manuel Villarreal and Armandina B. Villarreal, respectfully seek to have the Court disburse the remainder on deposit based upon receiving clear title to the unaccounted interest of Luz Rodriguez's one-third interest and Maria V. Gomez's disclaimed 5.8% (approximate) interest.

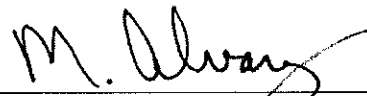
More specifically, on February 27, 2023, Jose Manuel Villarreal and Armandina B. Villarreal were awarded final judgment in [their] favor with respect to their suit to quiet title in regard to their trespass-to-try title action on the 4.60 acres against the Unknown Heirs and Unknown Assignees of Luz Rodriguez, Deceased.

Furthermore, on May 24, 2021, Maria V. Gomez executed a Corrected Special Warranty Deed indicating a clerical error in granting only 3.8 acres and stating her intent and conveyance of 4.6 acres of the Subject Property to Jose Manuel Villarreal and Armandina B. Villarreal.⁷

After reviewing the motion and the provided exhibits, the Court **GRANTS** Defendants' motion. The Court **ORDERS** the Clerk of the Court to immediately disburse the **\$12,386.25** on deposit in the registry of the Court, plus accrued interest, to Defendants Jose M. Villarreal and Armandina B. Villarreal jointly.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 4th day of December 2023.



Micaela Alvarez
Senior United States District Judge

⁵ *Id.*

⁶ *Id.* at 4.

⁷ Dkt. No. 34 at 2-3.

